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09/634,139	08/08/2000	Ifay F. Chang	20676-000100US	4275
61161	7590	02/13/2007		
IFAY F. CHANG 3 LOUIS DRIVE KATONAH, NY 10536			EXAMINER VU, THONG H	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/634,139

Applicant(s)

CHANG, IFAY F.

Examiner

Thong H. Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,8,11 and 21-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3,4,6,8,11 and 21-32 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

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1. Claims 1,3,4,6,8,11 and 21-33 are pending.
2. Claims 2,5,7,9-10,13-20 have been canceled.

Response to Arguments

3. Applicant's arguments filed 1/11/07 have been fully considered but they are not persuasive to overcome the prior art.

Applicant argues the prior art does not mention or suggest "voice communication"

Examiner points out the prior art taught WebPhone client process 306, ACD 242, [Mattaway, Fig 3]; communication session is established between caller and callee [Mattaway, col 8 lines 5-10]. It's clearly that the WebPhone, ACD, the caller-callee session are voice communications.

Thus the rejection is sustained.

Claim Objections

4. Claim 12 depends on claim 10 which has been canceled. Examiner assumed claim 12 depends on claim 11. Correction is required.

There are two claims 31 and no claim 32. Examiner assumed the second claim 31 as claim 32.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 29-33 are rejected under 35 U.S.C. 102(e) as being anticipated by

Mattaway et al [Mattaway 6,275,490 B1].

5. Claim 29 Mattaway discloses A method for operating a server comprises:

receiving a request from a client computer to initiate a telephone call via the Internet in response to a selection of an icon on a web page [Mattaway, WebPhone client 306, Fig 3; icon on web page, col 11 line 18];

determining a telephone number in response to the request [Mattaway, the browser applications are capable of supplying to the WebPhone client process any address information including PSTN telephone number, col 9 lines 35-39];

using a voice modem (i.e.: analog modem), coupled to the server and to a telephone line, wherein the telephone line is connected to a POTS and PSTN service, to dial the telephone number, wherein a voice connection through both the PSTN and Internet networks is established [Mattaway, analog modem 270, col 7line 29].

initiating a real-time communications channel between the client computer and the server via the Internet in response to the request [Mattaway, real-time communication, col 11 line 39];

6. Claim 30 Mattaway discloses the telephone number is commanded in the web page [Mattaway, telephone icon, col 6 line 24; icon on web page, col 11 lines 16-24].

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7. Claim 31 Mattaway discloses the telephone number is a telephone number is reserved for calls responsive to the web page [Mattaway, telephone icon, col 6 line 24; icon on web page, col 11 lines 16-24].

8. Claim 31 Mattaway discloses a single click on the icon connects a telephone call [Mattaway, telephone icon, col 6 line 24].

9. Claim 33 Mattaway discloses a single click on an ad contained in the web page connects a telephone call [Mattaway, telephone icon, col 6 line 24].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,4,6,8,11 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al [Mattaway 6,275,490 B1] in view of McLaughlin et al [McLaughlin 6,501,779 B1].

10. Claim 1, Mattaway discloses A method for operating a server comprises:

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receiving a page request for a web page from a client computer via the Internet, the web page including an icon [Mattaway, WebPhone client 306, Fig 3; icon on web page, col 11 line 18];

retrieving the web page from a storage of the server; sending the web page to the client computer via the Internet [McLaughlin, client or browser 22, server 12, web page 16, Internet 20, Fig 1];

receiving a request from the client computer to initiate a telephone call via the Internet in response to a selection of the icon on the web page [McLaughlin, web page 16, Fig 1; telephone call or dial, col 11 lines 1-15; select icon col 8 lines 35-40];

initiating a real-time communications channel between the client computer and the server via the Internet in response to the request [Mattaway, establish real-time communications, col 11 lines 16-24];

determining a telephone number in response to the request [Mattaway, the browser applications are capable of supplying to the WebPhone client process any address information including PSTN telephone number, col 9 lines 35-39];

using a voice modem, coupled to the server and to a telephone line, to dial the telephone number;

receiving packets of voice data from the client computer from the Internet;

reassembling the packets of voice data into a stream of digital voice data;

However Mattaway does not explicitly detail

converting the stream of digital audio data to a stream, of analog audio data with a sound board within the server;

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outputting the stream of analog audio data to the voice modem, and
outputting the stream of the analog audio data from the voice modem to the
telephone line.

In the same endeavor, McLaughlin discloses
converting the stream of digital voice data to a stream of analog voice data
[McLaughlin, digital simultaneous voice and data, col 7 line 56; Interactive Voice
response, col 9 line 47];

outputting the stream of analog voice data to the voice modem [McLaughlin,
voice modem, col 7 line 56], and

outputting the stream of the analog voice data from the voice modem to the
telephone line [McLaughlin, voice modem, col 7 line 56].

Therefore it would have been obvious to an ordinary skill in the art at the time the
invention was made to incorporate the technique of converting the stream of digital
voice to a analog voice stream using the voice modem as taught by McLaughlin into the
Mattaway's apparatus in order to utilize the Internet facilities.

Doing so would provide an enhanced ability to automatically launch and establish
communication link from a web browser to a web site [Mattaway, col 3 lines 34-36].

11. Claim 3 Mattaway-McLaughlin disclose determining the telephone number in
response to the request comprises retrieving the telephone number from a memory in
the server in response to the request [McLaughlin, telephone number, col 11 lines 13].

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12. Claim 4 Mattaway-McLaughlin disclose the request comprises the telephone number [McLaughlin, telephone number, col 11 lines 13].

13. Claim 6 Mattaway-McLaughlin disclose receiving a request from the client computer to initiate the telephone call comprises receiving the request from the client computer to initiate the telephone call via another voice modem [McLaughlin, voice modem, col 7 line 56].

14. Claim 8 Mattaway-McLaughlin disclose A method for operating a server comprises:

receiving a request at a server from a client computer to initiate a telephone call via a computer network, fine request from the client computer in response to a selection of an icon on a web page, the web page retrieved from the server and downloaded to the client computer [Mattaway, WebPhone client 306, Fig 3; icon on web page, col 11 line 18];

initiating a real-time communications channel at the server to the client computer via the computer network in response to the request from the client computer [Mattaway, establish real-time communications, col 11 lines 16-24];

determining a telephone number to dial in response to the request [Mattaway, telephone number, col 9 lines 39];

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dialing the telephone number on a telephone with a voice modem, the server comprising the voice modem and the voice modem, coupled to the telephone line [Mattaway, analog modem, col 7 line 29];

receiving packets of voice data at the server from the client computer [Mattaway, packet with voice, col 2 lines 46-60];

reassembling at the server the packets of voice data into a stream of digital audio data [Mattaway, digital with audio or voice, col 10 lines 60-67];

converting the stream of digital audio data to a stream, of analog audio data with a sound board within the server [Mattaway, translating analog/digital signals to compress audio packet, col 10 lines 60-67];

outputting the stream of analog audio data to the voice modem [McLaughlin, voice modem, col 7 line 35], and

outputting the stream of the analog audio data from the voice modem to the telephone line [McLaughlin, voice modem, col 7 line 35].

15. Claim 11 Mattaway-McLaughlin disclose determining the telephone number comprises retrieving the telephone number from a memory in the server in response to the request [McLaughlin, telephone number, col 11 lines 13]

16. Claim 12 Mattaway-McLaughlin disclose the request comprises a first telephone number and the telephone number comprises a second telephone number as inherent feature of PSTN [see Wood reference].

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17. Claims 21-24,25-28 contain the identical limitations set forth in claims 30-33.

Therefore claims 21-24,25-28 are rejected for the same rationale set forth in claims 30-33.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM- 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Lynn Feild*, can be reached at (571) 272-2092. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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